

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LATASHA ANN NICHOLS,

Petitioner,

V.

A COOPER,

### Respondent.

CASE NO. 2:24-cv-01478-JHC-DWC

## **ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation (R&R) of Magistrate Judge

David W. Christel, Dkt. # 4.and the remaining record, does hereby find and ORDER:

- (1) Petitioner did not file an objection to the R&R. The Court agrees with the R&R and adopt it.
- (2) Petitioner's federal habeas petition is improperly filed in her court of confinement pursuant to 28 U.S.C § 2241 and must instead be brought before her sentencing court pursuant to 28 U.S.C. § 2255 or as a motion for compassionate release.
- (3) As the petition was filed in the incorrect court and transfer would not be in the interest of justice, this action is DISMISSED WITHOUT PREJUDICE.
- (4) The Clerk is directed to send copies of this Order to Petitioner and to the Hon. David W. Christel.

**DATED** this 6th day of November, 2024.

John H. Chun  
JOHN H. CHUN  
United States District Judge